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5 UNITED STATES BANKRUPTCY COURT
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA

7
8 Carlos E. Porras,) Chapter 13 Case
9 Debtor,) Bankruptcy No.: 12-58699MEH
10)
11)
12) Hon. M. Elaine Hammond

13 **MOTION TO MODIFY CHAPTER 13 PLAN**

14 The Debtor respectfully requests that the Court modify the Chapter 13 plan as follows:

15 **X 1. With respect to the monthly plan payments of \$ 500.00 -----**

16 Those payments shall:

17 **X be suspended for the months of November 2014 through January 2015.**

18 **— be increased to \$ 1,000.00 , effective, April 2015.**

19 **X be decreased to \$ _____, effective, _____.**

20 **X 2. With respect to the monthly plan payments of \$ 4,010.00 -----**

21 Those payments shall:

22 **X be suspended for the months of February and March 2015.**

23 **— be increased to \$ _____, effective, _____.**

24 **X be decreased to \$ 1,000.00 , effective, April 2015.**

Motion to modify chapter 13 plan
Bankruptcy No.: 12-58699MEH

1 Beginning April 2015, Debtor's monthly payments will be \$1,000.00.
2 On October 2015 payments will increase to any amount necessary to cover the monthly
3 payments left under the plan considering that there are two claims in dispute, Pahl and McCay
and Moran Law Group. Monthly payment will be approximately for \$1,200.00 beginning October
2015.

4 **X 3. With regard to secured claims:**

5 To treat the claim(s) of additional creditors as secured, as follows:

6 _____ To change the treatment of certain secured claims as follows:

Creditor Name	Value of Collateral	Monthly Pmt (If Fixed)	Interest Rate (Must be specified)	Balance Owed
X Wells Fargo	\$1,000.00	\$15.00	0%	\$865.00

7 **Wells Fargo holds a secured cash deposit for \$1,000.00, therefore, the balance owed to
8 Debtor is \$135.00.**

X María D. Orozco	\$80,000.00 (Inventory)	\$100.00	0%	\$81,505.01
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9 **The Debtor surrenders to María D. Orozco his business inventory as a payment in full of
10 his debt. María D. Orozco already has a lien on it.**

11 **X 4. With regard to general unsecured creditors' claims, there will be no change with
12 only two exceptions.**

13 X a) Debtor objects Pahl & McCay claim and will request the Court an evidentiary hearing
14 to determine the validity of the claim.

15 X b) Creditor Moran Law Group's claim is on appeal.

16 X The rest of unsecured creditors will be paid in full.

17 **X 5. With regard to Priority and Taxes creditors' claims, there will be no change.**

18 **6. Debtor's reasons for requesting the above modification are;** Debtor's case has
19 been plagued by problems; First, Jason Vogelpohl an attorney who cared little about my case and
20 obtained \$10,000.00 illegally from me. Second, a health problem that includes a severe prostatic
21 infection and Diabetes that impaired me from working effectively for months. Third, a business
22 failure in an Art Show in New York that set me back financially.

Motion to modify chapter 13 plan
Bankruptcy No.: 12-58699MEH

Fourth, attorney Cathleen Moran whose intervention left me with an additional \$14,000.00 in attorney's fees and no benefit to my case, therefore increasing my debt.

Finally, my responsibility to those creditors that believe in me and I have the commitment to pay them in full. Despite my failures of poor judgment and ignorance in choosing the right lawyer, I did file bankruptcy Chapter 13 to pay my creditors. After two years and three months of the filed bankruptcy I have not had the “Fresh Start” or relief that I am entitled to.

7. The plan, if modified, would be completed within sixty (60) months from the commencement of the case.

WHEREFORE, the Debtor requests that the Court modify the Chapter 13 plan as set forth above.

Dated: This April 07, 2015.

~~Carlos E. Porras~~
Rep. In Pro Per